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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
In re:	:	Chapter 11
	:	(Subchapter V)
VTES, INC., et al.,	:	
	:	Case No. 20-12941 (JLG)
Debtors.	:	Related Docket Nos. <u>105, 126</u>
	:	(Jointly Administered)
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**NOTICE OF (I) ENTRY OF ORDER CONFIRMING DEBTORS'  
THIRD AMENDED CHAPTER 11 PLAN OF VTES, INC. ET AL.,  
UNDER SUBCHAPTER V OF CHAPTER 11 OF THE BANKRUPTCY  
CODE; AND (II) OCCURRENCE OF THE EFFECTIVE DATE  
WITH RESPECT TO THE CHAPTER 11 PLAN**

**PLEASE TAKE NOTICE** that on February 24, 2021, the United States Bankruptcy Court for the Southern District of New York entered the *Order Confirming Debtors' Third Amended Chapter 11 Plan of VTES, Inc. et al., Under Subchapter V of Chapter 11 of the Bankruptcy Code* (the "Confirmation Order") [Docket. No. 126], confirming the *Third Amended Chapter 11 Plan of VTES, Inc., et al., Under Subchapter V of Chapter 11 of the Bankruptcy Code* (the "Plan")<sup>1</sup> [Docket No. 105].

**PLEASE TAKE FURTHER NOTICE** that the Confirmation Order and the Plan are each on file with the Clerk of the Bankruptcy Court. Copies of the Plan and Confirmation Order

<sup>1</sup> Capitalized terms used herein, but not otherwise defined, shall have the meanings ascribed to them in the Plan and Confirmation Order.

and other documents filed in or related to the Debtors' chapter 11 cases may be obtained by contacting Stretto, the Debtors' agent supervising the solicitation, tabulation, and balloting process (the "Solicitation Agent"): (a) by (i) visiting the Solicitation Agent's website at <https://cases.stretto.com/VTES>; (ii) accessing the Debtors' restructuring website at <https://cases.stretto.com/VTES>; (iii) contacting Stretto via telephone at 855-233-4387 (U.S. Toll-free) or 949-617-1356 (International) or by email to [TeamVTES@stretto.com](mailto:TeamVTES@stretto.com); or (iv) writing to Stretto, 410 Exchange, Suite 100, Irvine, CA, 92602; or (b) for a fee via PACER at <https://ecf.nysb.uscourts.gov>.

**PLEASE TAKE FURTHER NOTICE** that the Confirmation Order having been entered, and all other conditions precedent to the Effective Date as prescribed by the Plan having been satisfied or waived by the Debtors, the Effective Date of the Plan occurred on February 25, 2021.

**PLEASE TAKE FUTHER NOTICE** that the Bankruptcy Court has approved certain discharge, release, exculpation, injunction, and related provisions in Article VIII and Article XII of the Plan.

**PLEASE TAKE FURTHER NOTICE** that the Plan and its provisions are binding on the Debtors and any Holder of a Claim or an Interest and such Holder's respective predecessors, successors and assigns, whether or not the Claim or the Interest of such Holder is Impaired under the Plan; *provided, however*, that except as otherwise provided in the Confirmation Order with respect to the Sale Transaction, and subject to Sections 7.1 (Sale), 8.4(c) (Release of Collateral), 8.5 (Exculpation) and 8.7 (Releases by the Debtors) of the Plan, the Plan shall not release any Claim against any non-Debtor party held by any party in interest that has voted to reject the Plan.

**PLEASE TAKE FURTHER NOTICE** that the Plan and Confirmation Order contain other provisions which may affect your rights. You are encouraged to review the Plan and Confirmation Order in their entirety.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 5.2 of the Plan, any holder of an Administrative Claim (other than a Professional Fee Claim) shall file their Claim within thirty (30) days after the date the notice of entry of the Confirmation Order is filed with the Bankruptcy Court or such later date as may be established by order of the Bankruptcy Court.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 5.2(c)(i) of the Plan, holders of Administrative Claims who are required to file a request for payment of such Claims and who do not file such requests by the Administrative Claims Bar Date shall be forever barred from asserting such Claims against the Debtor or their respective property.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 5.2(c)(ii) of the Plan, each Professional who holds or asserts a Professional Fee Claim shall be required to file an application for final allowance of compensation and reimbursement of expenses no later than thirty (30) days after the Effective Date (the "Fee Claim Deadline"). Failure to timely and properly file a fee application no later than the Fee Claim Deadline may result in the Professional Fee Claim being forever barred and discharged. Any holder of Professional Fee Claims shall become an Allowed Administrative Claim only to the extent allowed by a final order of the Bankruptcy Court. Each Professional or other Person that intends to seek payment on account of a Professional Fee Claim shall provide the Debtor with a statement, no later than three (3) days after entry of the Confirmation Order, of the amount of unpaid fees and expenses that each such Professional expects to incur from such date through the Effective Date, and the amount of fees and expenses that each such Professional expects to incur thereafter, relating to such matters as preparation and prosecution of each such Professional's Fee Application.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 9.2 of the Plan, all proofs of claim arising out of the rejection of an executory contract or an unexpired lease pursuant to the Plan must be filed with Clerk of the Bankruptcy Court and served upon the Debtors and the Subchapter V Trustee not later than thirty (30) days after filing of the notice of entry of the Confirmation Order, or other such period set by the Bankruptcy Court. Such proofs of claim be delivered (i) electronically through the Claims Agent's website, <https://cases.stretto.com/VTES>; (ii) by mailing the original proof of claim either by first class U.S. Postal Service mail or overnight delivery to VTES, Inc., et al. Claims Processing, c/o Stretto, 410 Exchange, Suite 100, Irvine, CA, 92602; or (iii) by delivering the original proof of claim by hand to the Office of the Clerk of Court for the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004. Any such Claims for which a proof of claim is not filed and served within such time will be forever barred from assertion and shall not be enforceable against the Debtors, their Estate and the Subchapter V Trustee.

Dated: New York, New York  
March 1, 2021

GRIFFIN HAMERSKY LLP

By: /s/ Scott A. Griffin

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